

REMARKS/ARGUMENTS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. Claims 1 and 3-13 are pending. Claims 1 and 6 are amended. Claim 2 is canceled and claims 7-13 are added. Claim 6 has been amended to correct the informality in order to overcome the objection.

Claim 1 has been amended to include the features of claim 2. Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (3,758,133) in view of Braunschadel (6,056,318). This rejection is respectfully traversed.

To establish a claim of obviousness, there must be some suggestion or motivation to a person having ordinary skill in the art to modify the reference or to combine reference teachings (MPEP §706.02(j)). Further, if the proposed combination "would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious." (MPEP §2143.01).

Neither Okada nor Braunschadel disclose the combination of an extensible membrane bulging outwards like a balloon during inflation and a device for destroying the membrane. There is no suggestion or motivation to combine the teachings of Okada and Braunschadel.

In fact, such a modification would change the principle operation of Braunschadel. If Braunschadel were provided with

quickly out of the outlet. With this modification, the gas cannot escape more quickly when a light body plunges into the gas bag than when a heavy body plunges into the gas bag as required by Braunschadel (See Col. 2, lines 11-16), since the heavier body could cause the membrane to be destroyed by the device. Thus, it would not be obvious to modify Okada in view of Braunschadel to produce the gas bag protection device as claimed in claim 1. Therefore, claim 1 is allowable. Claims 3-6 which depend from claim 1, are allowable as depending from an allowable claim and also for their specific feature recited therein.

Newly added claim 7, which depends from claim 1, should be allowed for the same reason as claim 1, and for the additional feature that the first material and the membrane define an inflatable volume of the gas bag. The inflatable volume of the gas bag increases when the membrane bulges forward toward the exterior. Neither Okada nor Braunschadel disclose or suggest this feature and including the limitations of claim 1. Therefore, claim 7 is allowable.

Newly added claim 8, which depends from claim 1, should be allowed for the same reason as claim 7 and for the additional feature that the membrane is made of an elastic material. Neither Okada nor Braunschadel disclose or suggest this feature and including the limitations of claim 1. Therefore, claim 8 is allowable.

Newly added claim 13, which depends from claim 1, should


suggest this feature and including the limitations of claim 1. Therefore, claim 13 is allowable.

New claim 9 recites a gas bag protection device comprising a gas bag which has an outer wall made of a first material. The outer wall has at least one outflow opening. A membrane made of an extensible, second material which is fastened to the outer wall and covers the outflow opening in a not fully inflated state of the gas bag. The first material and the membrane define an inflatable volume of the gas bag. A device provided outside the gas bag and serving for destroying the membrane. The gas bag and the device being arranged spaced so far apart from each other that the membrane meets the device only when a predetermined internal pressure of the gas bag has been reached. None of the prior art discloses or suggests all of the features recited in claim 9. Therefore, claim 9 is allowable. Claims 10-12, which depend from claim 9, are allowable as depending from an allowable claim and also for their specific feature recited therein.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in
the fees for this amendment to our Deposit Account
No. 20-0090.

Respectfully submitted,


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